

REMARKS

In the December 8, 2004 Office Action, claims 29-37 stand rejected in view of prior art. Claims 29-37 also were rejected for failing to indicate and claim particularly and distinctly the subject matter that Applicants regard as the invention. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the December 8, 2004 Office Action, Applicants have amended the specification and claims as indicated above. Thus, claims 29-37 are pending, with claims 1-28 cancelled. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Election of Species

In paragraph 1 of the Office Action, Applicants' election without traverse in the paper submitted on November 17, 2004 was acknowledged. Thus, non-elected claims 1 and 19-28 were withdrawn from further consideration. Non-elected claims 1 and 19-28 are hereby cancelled without prejudice.

Specification

Applicants have amended the specification to correct typographical errors and to update the cross-reference information.

Applicants believe that the specification is correct and complies with 37 CFR §1.71 and 37 CFR §1.75(d)(1).

Claim Rejections - 35 U.S.C. §112

In paragraph 4 of the Office Action, claims 29-37 were rejected under 35 U.S.C. §112, second paragraph. In response, Applicants have amended claim 29 to clarify claims 29-37.

Specifically, the phrase “said sole guide portion including a pair of laterally spaced projections located on said upper surface of said pedal body adjacent a forwardly facing tip surface” was deleted from claim 29. Claim 29 now recites only one “pair of laterally spaced projections” and one “forwardly facing tip surface.”

Furthermore, the phrase “and arranged to move between a clamping position and a release position” has been removed from claim 29. Applicants respectfully submit that claim 29 is now precise and consistent with claim 30.

MPEP 2173.05(b) D. states that the term “substantially” is definite in view of the general guidelines contained in the specification. On page 20, lines 6-10 of the specification, for example, general guidelines for the term “substantially” are given. Applicant respectfully submits that in view of the general guidelines contained in the specification, the term “substantially” is definite.

Applicants believe that the claims now comply with 35 U.S.C. §112, second paragraph. Withdrawal of the rejections is respectfully requested.

Rejections - 35 U.S.C. § 102

In paragraph 6 of the Office Action, claims 29-37 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,928,549 (Nagano).

It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference.

Independent claim 29 recites, *inter alia*, a sole guide portion that includes a pair of laterally spaced projections located on a ***forwardly facing tip surface*** of the pedal body. This structure is ***not*** disclosed or suggested by Nagano or any other prior art of record.

As stated in the Office Action in paragraph 6, Nagano discloses a pair of projections on the upper surface of the pedal body adjacent a forwardly facing tip surface. However,

Nagano does not disclose a pair of projections on a *forwardly facing tip surface*. Therefore, Applicants respectfully submit that claim 29, as now amended, is not anticipated by Nagano. Withdrawal of this rejection is respectfully requested.

In paragraph 7 of the Office Action, claims 29-37 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,778,739 (Takahama).

Independent claim 29 recites, *inter alia*, a sole guide portion that includes a pair of laterally spaced projections located on a *forwardly facing tip surface* of the pedal body that define a sole receiving recess in an area disposed laterally therebetween and aligned with said projections. This structure is *not* disclosed or suggested by Takahama or any other prior art of record.

As stated in the Office Action in paragraph 7, Takahama discloses a pair of projections on the upper surface of the pedal body adjacent a forwardly facing tip surface. However, Takahama does not disclose a pair of projections on a *forwardly facing tip surface* that define a sole receiving recess in an area disposed laterally therebetween and aligned with said projections. Therefore, Applicants respectfully submit that claim 29, as now amended, is not anticipated by Takahama. Withdrawal of this rejection is respectfully requested.

Moreover, Applicants believe that dependent claims 30-37 are also allowable over the prior art of record in that they depend from independent claim 29, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate independent claim 29, neither does the prior art anticipate the dependent claims.

Applicants respectfully request withdrawal of the rejections.

Prior Art Citation

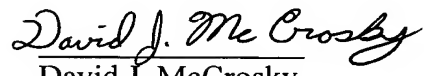
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Reply to Office Action of December 8, 2004

In the Office Action, additional prior art references were made of record. Applicants believe that these references do not render the claimed invention obvious.

Conclusion

In view of the foregoing amendment and comments, Applicants respectfully assert that claims 29-37 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,


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